

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WISCONSIN LABORERS HEALTH
FUND, WISCONSIN LABORERS
PENSION FUND, WISCONSIN
LABORERS APPRENTICESHIP
AND TRAINING FUND, THOMAS
FISHER, WISCONSIN LABORERS
DISTRICT COUNSEL, WISCONSIN
LABORERS-EMPLOYERS COOPERATION
AND EDUCATION TRUST FUND,
NORTH CENTRAL STATES REGIONAL
COUNCIL OF CARPENTERS' PENSION
FUND, NORTH CENTRAL STATES REGIONAL
COUNCIL OF CARPENTER'S HEALTH
FUND, NORTH CENTRAL STATES
REGIONAL COUNCIL OF CARPENTERS'
VACATION FUND, NORTH CENTRAL STATES
REGIONAL COUNCIL OF CARPENTERS'
APPRENTICESHIP & JOURNEYMAN TRAINING
FUND, LABOR MANAGEMENT COOPERATION
TRUST OF THE NORTH CENTRAL STATES
REGIONAL COUNCIL OF CARPENTERS,
NORTH CENTRAL STATES REGIONAL COUNCIL
OF CARPENTER'S DEFINED CONTRIBUTION
PENSION FUND, CONTRACT ADMINISTRATION
FUND, and BRIAN GENTRY,

Plaintiffs,

v.

HENSHUE CONSTRUCTION, INC.
and GARY HENSHUE,

Defendants.

ORDER

08-cv-705-bbc

Counsel in this case have advised the court that defendant Henshue Construction, Inc., has filed for receivership under Chapter 128, Wis. Stats.

Because the receivership proceedings may dispose of this entire case, IT IS ORDERED that the case is DISMISSED without prejudice, subject to the condition that this order of dismissal shall be vacated in the event that the receivership proceeding is terminated without disposing of the rights of the parties in this case, or a timely request is made by either party that this order to dismiss without prejudice be vacated, or for any other reason necessary to prevent manifest injustice. In the event that this order of dismissal is vacated, the parties shall have all such rights as if this case had not been dismissed.

Entered this 3d day of February, 2009.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge